

REMARKS

As a preliminary matter, claim 16 has been amended to correct for a typographical error. Specifically, a misspelling of the word impurity as “imputing” has been corrected.

As a second preliminary matter, the drawings stand objected to under 37 C.F.R. 1.83(a). Specifically, the Examiner asserts that the drawings must show either perpendicular sectional views, or overhead views, in addition to the commonly used sectional views that are included in the original Application. Applicants respectfully traverse this objection in its entirety.

First, the sectional views shown in the present Application drawings are commonly used in the art as the relevant view of the particular features that are claimed by the present invention. Applicants respectfully direct the Examiner’s attention to the only outstanding cited prior art reference, Takemura et al. (U.S. 5,719,065), which shows only the same sectional view as the present Application. Second, those skilled in the art are also well apprised that the length-versus-width discussion presented by the Examiner is not particularly relevant to the substantive features of the present invention or other devices in the art, such as Takemura. The Examiner even admits (discussed further below) that the Examiner’s “width direction” is commonly known to only involve regions of the device outside of the active region, and therefore would not be relevant to the claimed features of the present invention that are inside the active region.

Nevertheless, in the interests of expediting prosecution, even though Applicants submit that the Examiner's objection is entirely unreasonable, claim 16 of the present invention has been amended herein to present an alternative phrasing of the same claim features at issue. The Examiner should find that all of the concerns expressed in the drawing objection have been rendered by this amendment, while the claims themselves have in fact been broadened in scope. Accordingly, reconsideration and withdrawal of the outstanding drawing objection are respectfully requested.

Claims 16-17, 21, and 24-26 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner repeats for this rejection the same "length-versus-width" concerns expressed with respect to the drawings objections. Applicants therefore traverse this rejection for the same reasons discussed above, and request reconsideration and withdrawal of this rejection as well, at least in light of the amendments to claim 16 made herein.

The description of the "first insulation film" in claim 16 has been amended to remove the claim term "only" that seems to concern the Examiner. These amendments further clarify that the first insulation film covers substantially all of the surface of the channel and low density impurity regions on which it is formed. With respect to the recited limitations of second insulation film, the claim term "only" has also been removed, and the amended language further clarifies that the second insulation film is formed on the gate electrode and first insulation film, but not on the source and drain

regions. Applicants submit that the Examiner should find that the same substantive arguments that were previously presented in the last Amendment regarding the patentability of claim 16 are relevant to this alternative phrasing of the same features. Accordingly, reconsideration and withdrawal of the outstanding Section 112, first paragraph, rejection are also respectfully traversed.

Claims 21 and 24 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner asserts that claim 21 (and therefore its dependent claim 24) somehow fails to clarify the relationship between the laser light and the structure of the invention. The Examiner further asserts that a theoretical laser light can be used for different purposes, with different strengths and wavelengths, to be applied at different “stages,” and thus result in different effects on the structure of the invention. Applicants traverse this rejection in its entirety. The claims clearly identify a relationship between a reflected laser light and the structure of the invention (the thickness of the second insulation film). The Examiner has otherwise failed to apply the correct standard for indefiniteness, namely, what would one skilled in the art understand when reading claims 21 and 24 of the present invention in light of the Specification.

The Examiner mischaracterizes the recited language of claim 21 by implying that the claimed structure (the thickness of the second insulation film) changes with the application of laser light. In fact, claim 21 features the opposite. It is the thickness of the second insulation film that is recited to affect the laser light, and not the other way around. Moreover, Applicants point out to the Examiner that claim 21 recites

that it is the reflection of a laser light that is affected by the claimed film thickness. Accordingly, the Examiner's description of the subject matter of claim 21 is inapplicable to the claim, and the rejection should be withdrawn for at least these reasons.

Furthermore, the Examiner has not considered the language of claim 21 according to what one skilled in the art would understand when reading the claim in light of the present Specification, as the Examiner was required to do. Page 10, lines 6-7 of the present Specification describe, for example, how "the implanted impurity is irradiated with an excimer laser to activate the same." Figs. 13D and 14 illustrate an application of the excimer laser to activate impurities, and also show a relationship to insulation film thickness. There is nothing unclear in these drawings, and their accompanying text, to one skilled in the art. Figs. 4A (and 5), 8A, 16D, and 18B all further illustrate an application of an excimer laser, but only according to the consistent example shown by Fig. 13D, which is not contradicted anywhere in the Specification. Each occurrence of, or reference to, a laser light in the Specification refers to the activation of impurities by irradiation of an excimer laser. The Examiner's alleged different strengths, wavelengths, stages, and effects of a laser light on the structure of the present invention simply do not appear anywhere in the present Application. Accordingly, the outstanding Section 112, second paragraph, rejection should be withdrawn for at least these additional reasons.

As a third preliminary matter, claim 21 stands objected to for informalities. Specifically, the Examiner asserts that the compound prepositional phrase that appears in claim 21 should repeat the preposition (the word "at") before each item serially listed in

the phrase. Applicants submit that the present language is entirely correct, and that the Examiner's particular grammatical preference is unnecessary. However, because the Examiner's preference will have no substantive effect on the claim, Applicants have added this redundant prepositional language to the claim, solely in the interests of expediting prosecution. Withdrawal of the objection on either basis is respectfully requested.

Claims 16-17 and 25-26 again stand rejected under 35 U.S.C. 102(b) as being anticipated by Takemura. Applicants again respectfully traverse this rejection for at least the reasons of record, those discussed above, and in light of the amendments to claim 16 presented herein. Contrary to the Examiner's assertion (page 6, paragraph no. 9 of the outstanding Office Action), the Examiner has not provided any responses to the amendments or arguments presented in Amendment D, filed June 3, 2005.

In repeating the previous rejection (based solely on the Takemura reference), the Examiner did not discuss any of the amended claim features presented in Amendment D. The Examiner has therefore failed to establish a *prima facie* case of anticipation. The Examiner was not relieved of the burden to consider this claim language merely because the Examiner had other unrelated objections to this amended language. The Examiner's length/width concerns are irrelevant to the Section 102 rejection, in that the Takemura reference does not describe (or in any way suggest) the length-versus-width conflict asserted by the Examiner. As described above, Takemura shows only the same sectional perspective that the Examiner objects to in the present

Application. Applicants further note that the Examiner has cited no single prior art publication that supports the Examiner's conclusory statements on what is common or normal in the art regarding the length and width directions.

The drawings in Takemura and those of the present Application all show features cited by the Examiner from the same sectional perspective. Applicants have clearly explained to the Examiner exactly which of the relevant features from this perspective are recited in the present claims, and not taught (or suggested) by Takemura. It was inappropriate for the Examiner merely to ignore these features -features that were sufficient to fully overcome the outstanding rejection- just because the Examiner had objections to some of the grammatical phrasing of these limitations. The limitations were still clear.

Nevertheless, as described above, the substantive features that were presented in Amendment D are still present in claim 16, but merely presented herein in an alternative grammatical form. Specifically, claim 16 now better clarifies that the first insulation film covers substantially all of the channel and low density impurity region surfaces, and the second insulation film is not formed on the source and drain regions. The only other substantive change to claim 16 is the removal of the two occurrences of the word "only" that unnecessarily restricted the scope of the claims.

With respect to the Examiner's comparison of the second insulation film of the present invention to the film 108 (Fig. 8) in Takemura, Applicants note that the Examiner has not even attempted to assert that Takemura's film 108 covers substantially

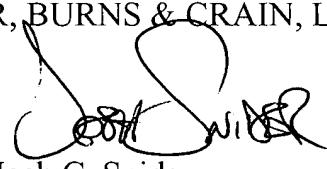
all of the surface of the first insulation film (film 104) on the low density impurity regions, as was clearly claimed in Amendment D, and is still featured in newly-amended claim 16. Fig. 8 of Takemura does not show (or even suggest) that the film 108 covers substantially all of the surface of the first insulation film on the low density impurity regions, and the Section 102 rejection should again be withdrawn for at least these reasons.

For all of the foregoing reasons, Applicants submit that this Application, including claims 16-17, 21, and 24-26, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By


Josh C. Snider
Registration No. 47,954

Customer No. 24978

October 31, 2005

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Telephone: (312) 360-0080
Facsimile: (312) 360-9315

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